

Docket No.
20784/4

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
PRODRUGS OF DP IV INHIBITORS

the specification of which

(check one)

is attached hereto.
 was filed on _____ as United States Application No. or PCT International Application Number _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<hr/> (Application Serial No.)	<hr/> (Filing Date)
<hr/> (Application Serial No.)	<hr/> (Filing Date)
<hr/> (Application Serial No.)	<hr/> (Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<hr/> DE 198 28 113.7	<hr/> June 24, 1998	<hr/> PENDING
<hr/> (Application Serial No.)	<hr/> (Filing Date)	<hr/> (Status) (patented, pending, abandoned)
<hr/> PCT/EP 99/04382	<hr/> June 24, 1999	<hr/> PENDING
<hr/> (Application Serial No.)	<hr/> (Filing Date)	<hr/> (Status) (patented, pending, abandoned)
<hr/> (Application Serial No.)	<hr/> (Filing Date)	<hr/> (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

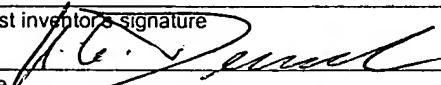
Mark A. Hofer, Reg. No. 30,068

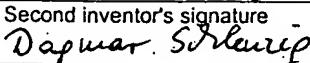
John C. Serio, Reg. No. 39,023

Send Correspondence to: **Mark A. Hofer**
Brown Rudnick Freed & Gesmer
One Financial Center
Boston, MA 02111

Direct Telephone Calls to: (name and telephone number)

Mark A. Hofer (617) 856-8327

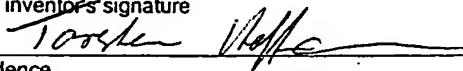
Full name of sole or first inventor Hans-Ulrich Demuth	Sole or first inventor's signature 	Date 21.12.00
Residence Hegelstr. 14, 06114 Halle, Germany		
Citizenship German		
Post Office Address Illegelstr. 14, 06114 Halle, Germany		

Full name of second inventor, if any Dagmar Schlenzig	Second inventor's signature 	Date 21.12.00
Residence Hegelstraße 12, 06114 Halle, Germany		
Citizenship German		
Post Office Address Hegelstraße 12, 06114 Halle, Germany		

Full name of third inventor, if any

Tersten Hoffmann

Third inventor's signature



Date

21.12.00

Residence

Körnerstr. 8, 06114 Halle, Germany

Citizenship

German

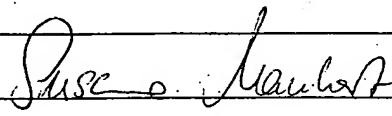
Post Office Address

Körnerstr. 8, 06114 Halle, Germany

Full name of fourth inventor, if any

Susanne Manhart

Fourth inventor's signature



21.12.00

Date

Residence

Rudolf-Haym-Str. 21, 06110 Halle, Germany

Citizenship

German

Post Office Address

Rudolf-Haym-Str. 21, 06110 Halle, Germany

Full name of fifth inventor, if any

Fifth inventor's signature

Date

Residence

Citizenship

Post Office Address

Full name of sixth inventor, if any

Sixth inventor's signature

Date

Residence

Citizenship

Post Office Address



UNITED STATES
PATENT AND
TRADEMARK OFFICE

JULY 23, 2002

PTAS

BROWN RUDNICK BERLACK ISRAELS, LLP
MARK A. HOFER
ONE FINANCIAL CENTER
BOSTON MA 02111

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov



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RECORDATION DATE: 05/21/2002

REEL/FRAME: 012912/0676

NUMBER OF PAGES: 5

BRIEF: ASSIGNOR INCORRECT - REEL/FRAME 011415/0536

ASSIGNOR:

DEMUTH, HANS-ULRICH

DOC DATE: 12/21/2000

ASSIGNOR:

HOFFMANN, TORSTEN

DOC DATE: 12/21/2000

ASSIGNOR:

SCHLENZIG, DAGMAR

DOC DATE: 12/21/2000

ASSIGNOR:

MANHART, SUSANNE

DOC DATE: 12/21/2000

ASSIGNEE:

PROBIODRUG
WEINBERGWEG 22
D-06120, HALLE/SAALE
FED REP
GERMANY

SERIAL NUMBER: 09745776
PATENT NUMBER:

FILING DATE: 12/22/2000
ISSUE DATE:

012912/0676 PAGE 2

SHARON BROOKS, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

05-24-2002

Doct No.: 20784/4

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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102102317

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Hans-Ulrich Demuth
Torsten Hoffmann
Dagmar Schlenzig
Susanne Manhart

5/21/02

Additional names(s) of conveying party(ies)

Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other Assignor Incorrect - Reel/Frame 011415/0536

Execution Date: _____

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/745,776

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Mark A. Hofer

Internal Address: Customer No. 21710

Brown Rudnick Berlack Israels, LLP

Street Address: One Financial Center

05/23/2002 DBYRNE 00000050 09745776

01 FC:581 City: Boston 40.00 pp State: MA ZIP: 02111

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

Enclosed - Any excess or insufficiency should be credited or debited to deposit account

Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Mark A. Hofer

Name of Person Signing

Signature

Total number of pages including cover sheet, attachments, and document: 7

Date

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FINANCE SECTION

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12/21/00

Doc. No.: 20784/4

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



101582367

To the Honorable Commissioner of Patents and Trademarks: Please return the attached original documents or copy thereof.

1. Name of conveying party(ies):

Hans-Ulrich Demuth
Torsten Hoffmann
Dagmar Schlenzig
Susanne Kruber

Additional names(s) of conveying party(ies) Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: _____

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

99/04382

Filed June 24, 1999

B. Patent No.(s)

9/745776

Additional name(s) & address(es) attached? Yes No

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Mark A. Hofer

Internal Address: Brown Rudnick Freed & Gesmer

Street Address: One Financial Center

City: Boston State: MA ZIP: 02111

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

Enclosed - Any excess or insufficiency should be credited or debited to deposit account
 Authorized to be charged to deposit account

8. Deposit account number:

50-0369

01/16/2001 DNGUYEN 00000096 09745776

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9. Statement and signature.

40.00 DP

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Mark A. Hofer (30,068)

Name of Person Signing

Signature

December 21, 2000

Date

Total number of pages including cover sheet, attachments, and document: 1

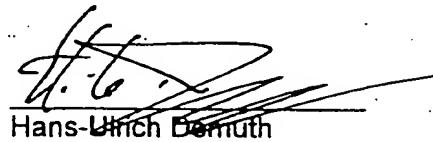
ASSIGNMENT

WHEREAS, we, Hans-Ulrich Demuth, of Hegelstr. 14, 06114 Halle, Germany, Torsten Hoffmann, of Körnerstraße 8, 06614 Halle, Germany, Dagmar Schlenzig, of Hegelstraße 12, 06114 Halle, Germany, Susanne Manhart, Rudolf-Haym-Str. 21, 06110 Halle, Germany, hereinafter called the Assignees, receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto Probiодrugs, having its principal place of business at Weinbergweg 22, Biozentrum, D-06120 Halle/Saale, Germany, hereinafter called the Assignees, receipt which is hereby acknowledged, do hereby sell, assign and transfer unto the Assignees, its successors and assigns, the entire right, title and interest in, to and under an application for Letters Patent of the United States filed on June 24, 1998 and June 24, 1999 signed by us **PRODRUGS OF DIPEPTIDYL PEPTIDASE IV INHIBITORS** including all priority rights ensuing therefrom, and the inventions and any of them therein set forth and described, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor, together with the right to apply for such Letters Patent.

And for the above consideration we agree promptly upon request of the Assignee, its successors or assigns, to execute and deliver without further compensation any power of attorney, assignment, application, whether original, divisional, continuation or reissue, or other papers which may be necessary or desirable fully to secure to the Assignee, its successors and assigns, the inventions and any of them described in said application and all patent rights therein, in the United States and in any country foreign thereto.

The undersigned hereby grants the law firm of BROWN RUDNICK FREED & GESMER, P.C. of One Financial Center, Boston, Massachusetts 02111, U.S.A., the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, I, Hans-Ulrich Demuth, hereunto set my hand and seal this day of 21.12.00, 2000.



Hans-Ulrich Demuth

County of Sachsen-Anhalt, Bundesrepublik Deutschland

Before me this 21. day of December, 2000, personally appeared Hans-Ulrich Demuth who is to me personally known, and acknowledged the foregoing instrument of assignment to be his free act and deed.



Notary Public

IN WITNESS WHEREOF, I, Torsten Hoffmann, hereunto set my hand and seal this day of 21.12., 2000.



Torsten Hoffmann

County of Sachsen-Anhalt, Bundesrepublik Deutschland

Before me this 21. day of December, 2000, personally appeared Torsten Hoffmann who is to me personally known, and acknowledged the foregoing instrument of assignment to be his free act and deed.



Notary Public

BEST AVAILABLE COPY

IN WITNESS WHEREOF, I, Dagmar Schlenzig, hereunto set my hand and seal this day of 21. 12., 2000.

Dagmar Schlenzig
Dagmar Schlenzig

County of Sachsen-Anhalt, Bundesrepublik Deutschland

Before me this 21. day of December, 2000, personally appeared Dagmar Schlenzig who is to me personally known, and acknowledged the foregoing instrument of assignment to be his free act and deed.

OAKL
Notary Public

IN WITNESS WHEREOF, I, Susanne Manhart, hereunto set my hand and seal this day of 21. 12., 2000.

Susanne Manhart
Susanne Manhart

County of Sachsen-Anhalt, Bundesrepublik Deutschland

Before me this 21. day of December, 2000, personally appeared Susanne Manhart who is to me personally known, and acknowledged the foregoing instrument of assignment to be his free act and deed.

OAKL
Notary Public

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APPLICATION FOR PATENT (Small Entity Assertion)

Docket No. 20784/4-CON

INVENTOR(S):

Demuth et al.

TITLE OF THE INVENTION:

PRODRUGS OF DP IV-INHIBITORS

FILING DATE: HEREWITH

Serial Number (if known): UNKNOWN

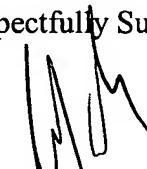
MAIL STOP PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

SMALL ENTITY ASSERTION

Sir:

Applicant claims small entity status under 37 CFR 1.27 for the above-identified patent application.

Respectfully Submitted,


John C. Serio, Reg. No. 39,023

Attorney(s) for Applicant

Brown Rudnick Berlack Israels LLP

One Financial Center

Boston, MA 02111

Customer No 21710

Tel: 617-856-8238

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